

### **REMARKS**

Applicant respectfully requests consideration of the subject application as amended herein. This Amendment is submitted in response to the Advisory Action mailed on September 17, 2007. Claims 1-6 are rejected.

Applicant thanks the Examiner for the telephone interview conducted on June 13, 2007, in which allowability of the pending claims was discussed. Based on the discussion, Applicant has amended the pending claims to place the pending claims in the condition for allowance.

Applicant respectfully requests consideration of the subject application as amended herein. This Amendment is submitted in response to the Office Action mailed November 28, 2006. Claims 1-6 stand rejected. In this Amendment, claim 1 has been amended. Claims 7 and 8 have been added. No new matter has been added.

New claims 7 and 8 depend on claim 1 and provide further details regarding a graphical user interface (GUI) claimed in claim 1. New claims 7 and 8 are fully supported by the present specification (e.g., see Figures 7 through 10, and page 7, line 8 through page 8, line 17).

### **35 U.S.C. §103**

The Examiner rejected claims 1 and 4 under 35 U.S.C. §103(a) as being unpatentable over Rackson, (U.S. Patent No. 6,415,270, hereinafter "Rackson"), in view of Ramakrishnan, et al., ("Database Management System" Copyright 2000, pages 3, 4, 8 and 9, hereinafter "Ramakrishnan"). Claims 2 and 5 are rejected under 35 U.S.C. §103(a) as being unpatentable over Rackson, in view of Ramakrishnan, and further in view of Bailey, et al., (U.S. Patent No. 6,785,671, hereinafter "Bailey"). Claims 3 and 6 are rejected under 35 U.S.C. §103(a) as being unpatentable over Rackson, in view of Ramakrishnan, and further in view of Searcher, et al,

(“Intelligent agents: A primer,” hereinafter “Searcher”). As discussed below, the pending claims are patentable over the above references.

Rackson discloses a multi-auction service that automatically replicates an item to be auctioned at multiple remote auctions. That is, Rackson’s multi-action service receives selling parameters for an item from the seller, determines the remote auctions at which to hold auctions, and automatically lists the item for the upcoming auctions.

The Examiner asserts that Rackson teaches the presently claimed invention and cites Figure 13 of Rackson for several limitations claimed in claim 1. However, Figure 13 of Rackson is directed to assisting a bidder in determining optimal conditions for placing a bid for an item offered at different auctions. The presently claimed invention, in contrast, is directed to assisting a seller in finding optimal e-commerce websites for offering an item for sale. Hence, Figure 13 is not applicable to a method claimed in claim 1.

Furthermore, Rackson does not teach or suggest providing a GUI presenting the comparison of previous sales data gathered from e-commerce websites to a seller, where the GUI graphically illustrates the optimal conditions for offering the item for sale, as claimed in claim 1. Rackson provides a user interface (UI) for the bidder to describe parameters of the items to be purchased, where the UI optionally displays historical data to the bidder in a chart form showing the distribution of final bids based on the strategies used or upon the condition factor of the item (Rackson, col. 24, lines 5-51). Hence, a UI in Rackson is provided for the *bidder*, and not the *seller*, as required by claim 1. Moreover, the UI in Rackson at most illustrates an optimal strategy for *placing a bid*, and not optimal conditions for *offering an item for sale*, as required by claim 1. Thus, claim 1 is patentable over Rackson.

Each of the other references (Ramakrishnan, Bailey and Searcher) lacks the same limitations of claim 1 that are missing from Rackson. Accordingly, the cited references, taken

alone or in combination, do not teach or suggest the present invention as claimed in claim 1.

Applicant respectfully submits that claim 1 and its dependent claims 2-6 are patentable over the cited references and requests the withdrawal of the rejections under 35 U.S.C. §103(a). Applicant further submits that the pending claims are in condition for allowance, which action is earnestly solicited.

**DEPOSIT ACCOUNT AUTHORIZATION**

Authorization is hereby given to charge our Deposit Account No. 02-2666 for any charges that may be due. Furthermore, if an extension is required, then Applicant hereby requests such extension.

If the Examiner determines the prompt allowance of these claims could be facilitated by a telephone conference, the Examiner is invited to contact Marina Portnova at (408) 720-8300.

Respectfully submitted,  
BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP



---

Marina Portnova  
Reg. No. 45,750

Dated: October 1, 2007

12400 Wilshire Boulevard  
Seventh Floor  
Los Angeles, CA 90025-1026  
(408) 720-8300